Katherine J. Odenbreit
Class Action Litigation Group, APC
11111 Santa Monica Blvd., Suite 1000
Los Angeles, CA 90025
Telephone: 310-481-9851
Facsimile: 310-481-9854
kodenbreit@class-action-attorneys.com

UNITED STATES DISTRICT COURT

DISTRICT OF NEW JERSEY

IN RE PET FOOD PRODUCTS LIABILITY LITIGATION	Civil Action No. 07-2867 (NHL)
THIS DOCUMENT RELATES TO: HART, et al. v. MENU FOODS, et al.	MDL Docket No. 1850

NOTICE OF FILING PROOFS OF SERVICE

Attached please find Proofs of Service re Summons, First Amended Complaint, Odenbreit Declaration in the matter of Hart, et al. v. Menu Foods, et al.

Dated: June 20, 2008

CLASS ACTION LITIGATION GROUP, APC

Katherine J. Odenbreit

Dockets.Justia.com

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

CENTRAL District of CALIFORNIA

JENNIFER HART, SHEILA K. WASHINGTON and MARIA MITCHELL, individually and on behalf of all individuals similarly situated,

V.

SUMMONS IN A CIVIL ACTION
ON FIRST AMENDED COMPLAINT

CASE NUMBER: c07cv02779 GHK (AJW)

MENU FOODS INCOME FUND; MENU FOODS MIDWEST CORPORATION, MENU FOODS SOUTH DAKOTA INC., MENU FOODS, INC. MENU FOODS HOLDINGS, INC.; DEL MONTE FOODS COMPANY; NESTLE PURINA PETCARE COMPANY, HILLS PET NUTRITION; NUTRO PRODUCTS, INC.
PLEASE SEE ATTACHMENT

TO: (Name and address of Defendant)

Menu Foods Income Fund; Menu Foods Midwest Corporation, Menu Foods South Dakota Inc., Menu Foods, Inc., Menu Foods Holdings, Inc.

c/o Alexander Shaknes
DLA PIPER US LLP
1251 Avenue of the Americas
New York, NY 10020-1104

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Rene L. Barge (California SBN 182317)
Katherine J. Odenbreit (California SBN 184619)
CLASS ACTION LITIGATION GROUP
11111 Santa Monica Boulevard, Ste. 1000
Los Angeles, California 90025
Tel: (310 481-9851
Fax: (310) 479-7051

an answer to the complaint which is served on you with this summons, within ~~30~~ 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

SHERRI R. CARTER
CLERK

JUL 19 2007
DATE

TABITA G. BLEA
(By) DEPUTY CLERK

SEAL

RETURN OF SERVICE	
Service of the Summons and Complaint was made by me	DATE 4/16/08
NAME OF SERVER Gail Sutter	TITLE Legal Assistant

Check one box below to indicate appropriate method of service

☐ Served personally upon the defendant. Place where served: ____________

☐ Left copies thereof at the defendant's dwelling, house or usual place of abode with a person of suitable age and discretion then residing therein:

Name of person with whom the summons and complaint were left: ____________

☐ Return unexecuted:

☒ Other (specify): I caused to be overnight delivered to attorney of record 4/18/08

STATEMENT OF SERVICE FEES				
TRAVEL		SERVICES	TOTAL $0.00	

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service is true and correct.

Executed on: 4/18/08 ____________ Gail Sutter

Date Signature of Server

I caused to be overnight delivered to attorney of record.

Address of Server 11111 Santa Monica Blvd., Suite 1000
Los Angeles, CA 90025

NOTICE OF RIGHT TO CONSENT TO TRIAL BY A UNITED STATES MAGISTRATE

IN ACCORDANCE WITH THE PROVISION OF 28 USC 636(C) YOU ARE HEREBY NOTIFIED THAT A U.S. MAGISTRATE OF THIS DISTRICT MAY, UPON CONSENT OF ALL PARTIES, CONDUCT ANY OR ALL PROCEEDINGS, INCLUDING A JURY OR NON-JURY TRIAL, AND ORDER THE ENTRY OF A FINAL JUDGMENT. COUNSEL FOR THE PLAINTIFF HAS RECEIVED A CONSENT FORM.

YOU SHOULD BE AWARE THAT YOUR DECISION TO CONSENT OR NOT CONSENT IS ENTIRELY VOLUNTARY AND SHOULD BE COMMUNICATED SOLELY TO THE CLERK OF COURT. ONLY IF ALL PARTIES CONSENT WILL THE JUDGE OR MAGISTRATE TO WHOM THE CASE HAS BEEN ASSIGNED BE INFORMED OF YOUR DECISION.

JUDGEMENTS OF THE U.S. MAGISTRATES ARE APPEALABLE TO THE U.S. COURT OF APPEALS IN ACCORDANCE WITH THIS STATUTE AND THE FEDERAL RULES OF APPELLATE PROCEDURE.

1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure

Secretary

From: TrackingUpdates@fedex.com
Sent: Friday, April 18, 2008 7:11 AM
To: secretary@class-action-attorneys.com
Subject: FedEx Shipment 792685352343 Delivered

This tracking update has been requested by:

Company Name:	CLASS ACTION LITIGATION GROUP
Name:	rene Barge
E-mail:	secretary@class-action-attorneys.com

Our records indicate that the following shipment has been delivered:

Invoice number:	Summons/FAC
Purchase order number:	Dec'l of Odenbreit
Reference:	MENU FOODS
Ship (P/U) date:	Apr 17, 2008
Delivery date:	Apr 18, 2008 10:06 AM
Sign for by:	S.WALKER
Delivered to:	Mailroom
Service type:	FedEx Standard Overnight
Packaging type:	FedEx Envelope
Number of pieces:	1
Weight:	0.50 lb.
Special handling/Services:	Deliver Weekday

Tracking number: 792685352343

Shipper Information	Recipient Information
rene Barge	Alexander Shaknes
CLASS ACTION LITIGATION GROUP	DLA PIPER US LLP
11111 Santa Monica Blvd., #1000	1251 Avenue of the Americas
Los Angeles	New York
CA	NY
US	US
90025	100201104

Please do not respond to this message. This email was sent from an unattended mailbox. This report was generated at approximately 9:10 AM CDT on 04/18/2008.

To learn more about FedEx Express, please visit our website at fedex.com.

All weights are estimated.

To track the latest status of your shipment, click on the tracking number above, or visit us at fedex.com.

This tracking update has been sent to you by FedEx on the behalf of the Requestor noted above. FedEx does not validate the authenticity of the requestor and does not validate, guarantee or warrant the authenticity of the request, the requestor's message, or the accuracy of this tracking update. For tracking results and fedex.com's terms of use, go to fedex.com.

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

CENTRAL District of CALIFORNIA

JENNIFER HART, SHEILA K. WASHINGTON and MARIA MITCHELL, individually and on behalf of all individuals similarly situated,

V.

MENU FOODS INCOME FUND; MENU FOODS MIDWEST CORPORATION, MENU FOODS SOUTH DAKOTA INC., MENU FOODS, INC. MENU FOODS HOLDINGS, INC.; DEL MONTE FOODS COMPANY; NESTLE PURINA PETCARE COMPANY, HILLS PET NUTRITION; NUTRO PRODUCTS, INC.
PLEASE SEE ATTACHMENT

SUMMONS IN A CIVIL ACTION
ON FIRST AMENDED COMPLAINT

CASE NUMBER: c07cv02779 GHK (AJWx)

TO: (Name and address of Defendant)

NATURAL BALANCE PET FOODS, INC.
c/o Thomas P. Bracaglia
MARSHALL, DENNEHEY, WARNER, COLEMAN & GOGGIN
1845 Walnut Street, 21st Fl.
Philadelphia, 19102

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Rene L. Barge (California SBN 182317)
Katherine J. Odenbreit (California SBN 184619)
CLASS ACTION LITIGATION GROUP
11111 Santa Monica Boulevard, Ste. 1000
Los Angeles, California 90025
Tel: (310 481-9851
Fax: (310) 479-7051

an answer to the complaint which is served on you with this summons, within ~~30~~ 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

SHERRI R. CARTER
CLERK

JUL 19 2007
DATE

TABITA G. BLEA
(By) DEPUTY CLERK

SEAL

RETURN OF SERVICE

Service of the Summons and Complaint was made by me	DATE 4/16/08
NAME OF SERVER Gail Sutter	TITLE Legal Assistant

Check one box below to indicate appropriate method of service

☐ Served personally upon the defendant. Place where served: ______

☐ Left copies thereof at the defendant's dwelling, house or usual place of abode with a person of suitable age and discretion then residing therein:

Name of person with whom the summons and complaint were left: ______

☐ Return unexecuted:

☒ Other (specify): I caused to be overnight delivered to attorney of record 4/18/08

STATEMENT OF SERVICE FEES

TRAVEL		SERVICES	TOTAL $0.00	

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service is true and correct.

Executed on: 4/18/08 [signature]

Date — Signature of Server

I caused to be overnight delivered to attorney of record.

Address of Server 11111 Santa Monica Blvd., Suite 1000
Los Angeles, CA 90025

NOTICE OF RIGHT TO CONSENT TO TRIAL BY A UNITED STATES MAGISTRATE

IN ACCORDANCE WITH THE PROVISION OF 28 USC 636(C) YOU ARE HEREBY NOTIFIED THAT A U.S. MAGISTRATE OF THIS DISTRICT MAY, UPON CONSENT OF ALL PARTIES, CONDUCT ANY OR ALL PROCEEDINGS, INCLUDING A JURY OR NON-JURY TRIAL, AND ORDER THE ENTRY OF A FINAL JUDGMENT. COUNSEL FOR THE PLAINTIFF HAS RECEIVED A CONSENT FORM.

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JUDGEMENTS OF THE U.S. MAGISTRATES ARE APPEALABLE TO THE U.S. COURT OF APPEALS IN ACCORDANCE WITH THIS STATUTE AND THE FEDERAL RULES OF APPELLATE PROCEDURE.

1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure

Secretary

From: TrackingUpdates@fedex.com
Sent: Friday, April 18, 2008 8:11 AM
To: secretary@class-action-attorneys.com
Subject: FedEx Shipment 790987253140 Delivered

This tracking update has been requested by:

Company Name:	CLASS ACTION LITIGATION GROUP
Name:	rene Barge
E-mail:	secretary@class-action-attorneys.com

Our records indicate that the following shipment has been delivered:

Invoice number:	Summons/FAC
Purchase order number:	Dec'l Odenbreit
Reference:	Hart v. Menu Foods,et al
Ship (P/U) date:	Apr 17, 2008
Delivery date:	Apr 18, 2008 11:07 AM
Sign for by:	L.SMITH
Delivered to:	Receptionist/Front Desk
Service type:	FedEx Standard Overnight
Packaging type:	FedEx Envelope
Number of pieces:	1
Weight:	1.00 lb.
Special handling/Services:	Deliver Weekday

Tracking number: 790987253140

Shipper Information	Recipient Information
rene Barge	Thomas P. Bracaglia
CLASS ACTION LITIGATION GROUP	Marshall, Dennehey Warner, etc.
11111 Santa Monica Blvd., #1000	1845 Walnut Street, 21st Fl.
Los Angeles	Philadelphia
CA	PA
US	US
90025	19102

Please do not respond to this message. This email was sent from an unattended mailbox. This report was generated at approximately 10:10 AM CDT on 04/18/2008.

To learn more about FedEx Express, please visit our website at fedex.com.

All weights are estimated.

To track the latest status of your shipment, click on the tracking number above, or visit us at fedex.com.

This tracking update has been sent to you by FedEx on the behalf of the Requestor noted above. FedEx does not validate the authenticity of the requestor and does not validate, guarantee or warrant the authenticity of the request, the requestor's message, or the accuracy of this tracking update. For tracking results and fedex.com's terms of use, go to fedex.com.

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

CENTRAL District of CALIFORNIA

JENNIFER HART, SHEILA K. WASHINGTON and MARIA MITCHELL, individually and on behalf of all individuals similarly situated,

V.

MENU FOODS INCOME FUND; MENU FOODS MIDWEST CORPORATION, MENU FOODS SOUTH DAKOTA INC., MENU FOODS, INC. MENU FOODS HOLDINGS, INC.; DEL MONTE FOODS COMPANY; NESTLE PURINA PETCARE COMPANY, HILLS PET NUTRITION; NUTRO PRODUCTS, INC.

PLEASE SEE ATTACHMENT

SUMMONS IN A CIVIL ACTION

ON FIRST AMENDED COMPLAINT

CASE NUMBER: c07cv02779 GHK (AJW)x

TO: (Name and address of Defendant)

NUTRO PRODUCTS, INC.
c/o William E. Wegner
GIBSON DUNN & CRUTCHER LLP
333 S. Grand Avenue, 47th Fl.
Los Angeles, CA 90071-3197

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Rene L. Barge (California SBN 182317)
Katherine J. Odenbreit (California SBN 184619)
CLASS ACTION LITIGATION GROUP
11111 Santa Monica Boulevard, Ste. 1000
Los Angeles, California 90025
Tel: (310 481-9851
Fax: (310) 479-7051

an answer to the complaint which is served on you with this summons, within ~~30~~ 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

SHERRI R. CARTER

CLERK

JUL 19 2007

DATE

TABITA G. BLEA

SEAL

(By) DEPUTY CLERK

RETURN OF SERVICE	
Service of the Summons and Complaint was made by me	DATE 4/16/08
NAME OF SERVER Gail Sutter	TITLE Legal Assistant

Check one box below to indicate appropriate method of service

☐ Served personally upon the defendant. Place where served: ____________

☐ Left copies thereof at the defendant's dwelling, house or usual place of abode with a person of suitable age and discretion then residing therein:

Name of person with whom the summons and complaint were left: ____________

☐ Return unexecuted:

☒ Other (specify): I caused to be overnight delivered to attorney of record 4/18/08

STATEMENT OF SERVICE FEES				
TRAVEL		SERVICES	TOTAL $0.00	

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service is true and correct.

Executed on: 4/18/08 [signature]

Date — Signature of Server

I caused to be overnight delivered to attorney of record.

Address of Server 11111 Santa Monica Blvd., Suite 1000
Los Angeles, CA 90025

NOTICE OF RIGHT TO CONSENT TO TRIAL BY A UNITED STATES MAGISTRATE

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1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure

Secretary

From: TrackingUpdates@fedex.com
Sent: Friday, April 18, 2008 9:10 AM
To: secretary@class-action-attorneys.com
Subject: FedEx Shipment 799309921838 Delivered

This tracking update has been requested by:

Company Name:	CLASS ACTION LITIGATION GROUP
Name:	rene Barge
E-mail:	secretary@class-action-attorneys.com

Our records indicate that the following shipment has been delivered:

Invoice number:	summons/FAC
Purchase order number:	Dec'; of Odenbreit
Reference:	Hart v. Menu Foods,et al
Ship (P/U) date:	Apr 17, 2008
Delivery date:	Apr 18, 2008 9:07 AM
Sign for by:	T.DAVIS
Delivered to:	Mailroom
Service type:	FedEx Standard Overnight
Packaging type:	FedEx Envelope
Number of pieces:	1
Weight:	0.50 lb.
Special handling/Services:	Deliver Weekday
Tracking number:	799309921838

Shipper Information	Recipient Information
rene Barge	Wiliam E. Wegner
CLASS ACTION LITIGATION GROUP	Gibson Dunn & Crutcher LLP
11111 Santa Monica Blvd., #1000	333 S. Grand Avenue, 47th Fl.
Los Angeles	Los Angeles
CA	CA
US	US
90025	90071

Please do not respond to this message. This email was sent from an unattended mailbox. This report was generated at approximately 11:09 AM CDT on 04/18/2008.

To learn more about FedEx Express, please visit our website at fedex.com.

All weights are estimated.

To track the latest status of your shipment, click on the tracking number above, or visit us at fedex.com.

This tracking update has been sent to you by FedEx on the behalf of the Requestor noted above. FedEx does not validate the authenticity of the requestor and does not validate, guarantee or warrant the authenticity of the request, the requestor's message, or the accuracy of this tracking update. For tracking results and fedex.com's terms of use, go to fedex.com.

UNITED STATES DISTRICT COURT

CENTRAL District of CALIFORNIA

JENNIFER HART, SHEILA K. WASHINGTON and MARIA MITCHELL, individually and on behalf of all individuals similarly situated,

V.

SUMMONS IN A CIVIL ACTION

ON FIRST AMENDED COMPLAINT

CASE NUMBER: c07cv02779 GHK (AJW)x

MENU FOODS INCOME FUND; MENU FOODS MIDWEST CORPORATION, MENU FOODS SOUTH DAKOTA INC., MENU FOODS, INC. MENU FOODS HOLDINGS, INC.; DEL MONTE FOODS COMPANY; NESTLE PURINA PETCARE COMPANY, HILLS PET NUTRITION; NUTRO PRODUCTS, INC.
PLEASE SEE ATTACHMENT

TO: (Name and address of Defendant)

DEL MONTE FOODS COMPANY
c/o Richard Fama
COZEN O'CONNOR
45 Broadway Atrium, 16th Floor
New York, NY 10006

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Rene L. Barge (California SBN 182317)
Katherine J. Odenbreit (California SBN 184619)
CLASS ACTION LITIGATION GROUP
11111 Santa Monica Boulevard, Ste. 1000
Los Angeles, California 90025
Tel: (310 481-9851
Fax: (310) 479-7051

an answer to the complaint which is served on you with this summons, within ~~30~~ 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

SHERRI R. CARTER

CLERK

JUL 19 2007

DATE

TABITA G. BLEA

SEAL

(By) DEPUTY CLERK

RETURN OF SERVICE

Service of the Summons and Complaint was made by me	DATE 4/16/08
NAME OF SERVER Gail Sutter	TITLE Legal Assistant

Check one box below to indicate appropriate method of service

☐ Served personally upon the defendant. Place where served: ____________

☐ Left copies thereof at the defendant's dwelling, house or usual place of abode with a person of suitable age and discretion then residing therein:

Name of person with whom the summons and complaint were left: ____________

☐ Return unexecuted:

☒ Other (specify): I caused to be overnight delivered to attorney of record 4/18/08

STATEMENT OF SERVICE FEES

TRAVEL		SERVICES	TOTAL $0.00	

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service is true and correct.

Executed on: 4/18/08 ____________ [signature]

Date — Signature of Server

I caused to be overnight delivered to attorney of record.

Address of Server 11111 Santa Monica Blvd., Suite 1000
Los Angeles, CA 90025

NOTICE OF RIGHT TO CONSENT TO TRIAL BY A UNITED STATES MAGISTRATE

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1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure

::ODMA\PCDOCS\WORDPERFECT\14443\1 May 5, 1999 (11:34am)

Secretary

From: TrackingUpdates@fedex.com
Sent: Friday, April 18, 2008 6:20 AM
To: secretary@class-action-attorneys.com
Subject: FedEx Shipment 790495473141 Delivered

This tracking update has been requested by:

Company Name:	CLASS ACTION LITIGATION GROUP
Name:	rene Barge
E-mail:	secretary@class-action-attorneys.com

Our records indicate that the following shipment has been delivered:

Invoice number:	Dec'l of Odenbreit
Purchase order number:	Summons/FAC
Reference:	Hart v. Menu Foods,et al
Ship (P/U) date:	Apr 17, 2008
Delivery date:	Apr 18, 2008 9:14 AM
Sign for by:	S.FORREST
Delivered to:	Receptionist/Front Desk
Service type:	FedEx Standard Overnight
Packaging type:	FedEx Pak
Number of pieces:	1
Weight:	1.00 lb.
Special handling/Services:	Deliver Weekday

Tracking number: 790495473141

Shipper Information	Recipient Information
rene Barge	Richard Fama
CLASS ACTION LITIGATION GROUP	Cozen O'Connor
11111 Santa Monica Blvd., #1000	45 Broadway Atrium, 16th Floor
Los Angeles	New York
CA	NY
US	US
90025	10006

Please do not respond to this message. This email was sent from an unattended mailbox. This report was generated at approximately 8:20 AM CDT on 04/18/2008.

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All weights are estimated.

To track the latest status of your shipment, click on the tracking number above, or visit us at fedex.com.

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AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

CENTRAL District of CALIFORNIA

JENNIFER HART, SHEILA K. WASHINGTON and MARIA MITCHELL, individually and on behalf of all individuals similarly situated,

V.

SUMMONS IN A CIVIL ACTION

ON FIRST AMENDED COMPLAINT

CASE NUMBER: c07cv02779 GHK (AJWx)

MENU FOODS INCOME FUND; MENU FOODS MIDWEST CORPORATION, MENU FOODS SOUTH DAKOTA INC., MENU FOODS, INC. MENU FOODS HOLDINGS, INC.; DEL MONTE FOODS COMPANY; NESTLE PURINA PETCARE COMPANY, HILLS PET NUTRITION; NUTRO PRODUCTS, INC.
PLEASE SEE ATTACHMENT

TO: (Name and address of Defendant)

HILLS PET NUTRITION
c/o James D. Arden
SIDLEY AUSTIN LLP
787 Seventh Avenue
New York, NY 10019

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Rene L. Barge (California SBN 182317)
Katherine J. Odenbreit (California SBN 184619)
CLASS ACTION LITIGATION GROUP
11111 Santa Monica Boulevard, Ste. 1000
Los Angeles, California 90025
Tel: (310 481-9851
Fax: (310) 479-7051

an answer to the complaint which is served on you with this summons, within ~~30~~ 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

SHERRI R. CARTER

CLERK

JUL 19 2007

DATE

TABITA G. BLEA

SEAL

(By) DEPUTY CLERK

RETURN OF SERVICE	
Service of the Summons and Complaint was made by me	DATE 4/16/08
NAME OF SERVER Gail Sutter	TITLE Legal Assistant

Check one box below to indicate appropriate method of service

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Name of person with whom the summons and complaint were left: ______

☐ Return unexecuted:

☒ Other (specify): I caused to be overnight delivered to attorney of record 4/18/08

STATEMENT OF SERVICE FEES				
TRAVEL		SERVICES	TOTAL $0.00	

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service is true and correct.

Executed on: 4/18/08 ______ [signature]

Date Signature of Server

I caused to be overnight delivered to attorney of record.

Address of Server 11111 Santa Monica Blvd., Suite 1000
Los Angeles, CA 90025

NOTICE OF RIGHT TO CONSENT TO TRIAL BY A UNITED STATES MAGISTRATE

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1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure

::ODMA\PCDOCS\WORDPERFECT\14443\1 May 5, 1999 (11:34am)

Secretary

From: TrackingUpdates@fedex.com
Sent: Friday, April 18, 2008 6:31 AM
To: secretary@class-action-attorneys.com
Subject: FedEx Shipment 791886747318 Delivered

This tracking update has been requested by:

Company Name:	CLASS ACTION LITIGATION GROUP
Name:	rene Barge
E-mail:	secretary@class-action-attorneys.com

Our records indicate that the following shipment has been delivered:

Invoice number:	Summons/FAC
Purchase order number:	Dec'l of Odenbreit
Reference:	Hart v. Menu Foods
Ship (P/U) date:	Apr 17, 2008
Delivery date:	Apr 18, 2008 9:19 AM
Sign for by:	Y.FINKELHSTYN
Delivered to:	Shipping/Receiving
Service type:	FedEx Standard Overnight
Packaging type:	FedEx Envelope
Number of pieces:	1
Weight:	0.50 lb.
Special handling/Services:	Deliver Weekday
Tracking number:	791886747318

Shipper Information	Recipient Information
rene Barge	James D. Arden
CLASS ACTION LITIGATION GROUP	Sidley Austin LLP
11111 Santa Monica Blvd., #1000	787 Seventh Avenue
Los Angeles	New York
CA	NY
US	US
90025	10019

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To learn more about FedEx Express, please visit our website at fedex.com.

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To track the latest status of your shipment, click on the tracking number above, or visit us at fedex.com.

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AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

CENTRAL District of CALIFORNIA

JENNIFER HART, SHEILA K. WASHINGTON and MARIA MITCHELL, individually and on behalf of all individuals similarly situated,

V.

MENU FOODS INCOME FUND; MENU FOODS MIDWEST CORPORATION, MENU FOODS SOUTH DAKOTA INC., MENU FOODS, INC. MENU FOODS HOLDINGS, INC.; DEL MONTE FOODS COMPANY; NESTLE PURINA PETCARE COMPANY, HILLS PET NUTRITION; NUTRO PRODUCTS, INC.
PLEASE SEE ATTACHMENT

SUMMONS IN A CIVIL ACTION
ON FIRST AMENDED COMPLAINT

CASE NUMBER: c07cv02779 GHK (AJWx)

TO: (Name and address of Defendant)

NESTLE PURINA PETCARE COMPANY
c/o Craig A. Hoover
HOGAN & HARTSON LLP
Columbia Square, 5555 Thirteenth St. NW
Washington, DC 20004-1109

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Rene L. Barge (California SBN 182317)
Katherine J. Odenbreit (California SBN 184619)
CLASS ACTION LITIGATION GROUP
11111 Santa Monica Boulevard, Ste. 1000
Los Angeles, California 90025
Tel: (310 481-9851
Fax: (310) 479-7051

an answer to the complaint which is served on you with this summons, within ~~30~~ 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

SHERRI R. CARTER
CLERK

SEAL

JUL 19 2007
DATE

TABITA G. BLEA
(By) DEPUTY CLERK

RETURN OF SERVICE

Service of the Summons and Complaint was made by me	DATE 4/16/08
NAME OF SERVER Gail Sutter	TITLE Legal Assistant

Check one box below to indicate appropriate method of service

[ ] Served personally upon the defendant. Place where served: ____________

[ ] Left copies thereof at the defendant's dwelling, house or usual place of abode with a person of suitable age and discretion then residing therein:

Name of person with whom the summons and complaint were left: ____________

[ ] Return unexecuted:

[x] Other (specify): I caused to be overnight delivered to attorney of record 4/18/08

STATEMENT OF SERVICE FEES

TRAVEL		SERVICES	TOTAL $0.00	

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service is true and correct.

Executed on: 4/18/08 — Date

[signature] Signature of Server

I caused to be overnight delivered to attorney of record.

Address of Server 11111 Santa Monica Blvd., Suite 1000
Los Angeles, CA 90025

NOTICE OF RIGHT TO CONSENT TO TRIAL BY A UNITED STATES MAGISTRATE

IN ACCORDANCE WITH THE PROVISION OF 28 USC 636(C) YOU ARE HEREBY NOTIFIED THAT A U.S. MAGISTRATE OF THIS DISTRICT MAY, UPON CONSENT OF ALL PARTIES, CONDUCT ANY OR ALL PROCEEDINGS, INCLUDING A JURY OR NON-JURY TRIAL, AND ORDER THE ENTRY OF A FINAL JUDGMENT. COUNSEL FOR THE PLAINTIFF HAS RECEIVED A CONSENT FORM.

YOU SHOULD BE AWARE THAT YOUR DECISION TO CONSENT OR NOT CONSENT IS ENTIRELY VOLUNTARY AND SHOULD BE COMMUNICATED SOLELY TO THE CLERK OF COURT. ONLY IF ALL PARTIES CONSENT WILL THE JUDGE OR MAGISTRATE TO WHOM THE CASE HAS BEEN ASSIGNED BE INFORMED OF YOUR DECISION.

JUDGEMENTS OF THE U.S. MAGISTRATES ARE APPEALABLE TO THE U.S. COURT OF APPEALS IN ACCORDANCE WITH THIS STATUTE AND THE FEDERAL RULES OF APPELLATE PROCEDURE.

1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure

Secretary

From: TrackingUpdates@fedex.com
Sent: Friday, April 18, 2008 6:25 AM
To: secretary@class-action-attorneys.com
Subject: FedEx Shipment 798922594347 Delivered

This tracking update has been requested by:

Company Name:	CLASS ACTION LITIGATION GROUP
Name:	rene Barge
E-mail:	secretary@class-action-attorneys.com

Our records indicate that the following shipment has been delivered:

Invoice number:	Summons/FAC
Purchase order number:	Dec'l of Odenbreit
Reference:	Hart v. Menue Foods,etal
Ship (P/U) date:	Apr 17, 2008
Delivery date:	Apr 18, 2008 9:21 AM
Sign for by:	C.BELTON
Delivered to:	Shipping/Receiving
Service type:	FedEx Standard Overnight
Packaging type:	FedEx Envelope
Number of pieces:	1
Weight:	1.00 lb.
Special handling/Services:	Deliver Weekday
Tracking number:	798922594347

Shipper Information	Recipient Information
rene Barge	Craig a. Hoover
CLASS ACTION LITIGATION GROUP	Hogan & Hartson LLP
11111 Santa Monica Blvd., #1000	Columbia Square;5555 Thirteenth St. NW
Los Angeles	Washington
CA	DC
US	US
90025	200041109

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All weights are estimated.

To track the latest status of your shipment, click on the tracking number above,

UNITED STATES DISTRICT COURT

CENTRAL District of CALIFORNIA

JENNIFER HART, SHEILA R. WASHINGTON and MARIA MITCHELL, individually and on behalf of all individuals similarly situated,

V.

SUMMONS IN A CIVIL ACTION
ON FIRST AMENDED COMPLAINT

CASE NUMBER: c07cv02779 GHK (AJWx)

MENU FOODS INCOME FUND; MENU FOODS MIDWEST CORPORATION, MENU FOODS SOUTH DAKOTA INC., MENU FOODS, INC. MENU FOODS HOLDINGS, INC.; DEL MONTE FOODS COMPANY; NESTLE PURINA PETCARE COMPANY, HILLS PET NUTRITION; NUTRO PRODUCTS, INC.
PLEASE SEE ATTACHMENT

TO: (Name and address of Defendant)

PETSMART, INC.
c/o Joseph C. Weinstein, Esq.
SQUIRE SANDERS & DEMPSEY LLP
4900 Key Tower, 127 Public Square
Cleveland, OH 44114-1304

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Rene L. Barge (California SBN 182317)
Katherine J. Odenbreit (California SBN 184619)
CLASS ACTION LITIGATION GROUP
11111 Santa Monica Boulevard, Ste. 1000
Los Angeles, California 90025
Tel: (310 481-9851
Fax: (310) 479-7051

an answer to the complaint which is served on you with this summons, within ~~30~~ 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

SHERRI R. CARTER
CLERK

JUL 19 2007
DATE

TABITA G. BLEA
(By) DEPUTY CLERK

SEAL

RETURN OF SERVICE

Service of the Summons and Complaint was made by me	DATE 4/16/08
NAME OF SERVER Gail Sutter	TITLE Legal Assistant

Check one box below to indicate appropriate method of service

☐ Served personally upon the defendant. Place where served: ____________

☐ Left copies thereof at the defendant's dwelling, house or usual place of abode with a person of suitable age and discretion then residing therein:

Name of person with whom the summons and complaint were left: ____________

☐ Return unexecuted:

☒ Other (specify): I caused to be overnight delivered to attorney of record 4/18/08

STATEMENT OF SERVICE FEES

TRAVEL		SERVICES	TOTAL $0.00	

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service is true and correct.

Executed on: 4/18/08 — Date

[signature] Signature of Server

I caused to be overnight delivered to attorney of record.

Address of Server 11111 Santa Monica Blvd., Suite 1000
Los Angeles, CA 90025

NOTICE OF RIGHT TO CONSENT TO TRIAL BY A UNITED STATES MAGISTRATE

IN ACCORDANCE WITH THE PROVISION OF 28 USC 636(C) YOU ARE HEREBY NOTIFIED THAT A U.S. MAGISTRATE OF THIS DISTRICT MAY, UPON CONSENT OF ALL PARTIES, CONDUCT ANY OR ALL PROCEEDINGS, INCLUDING A JURY OR NON-JURY TRIAL, AND ORDER THE ENTRY OF A FINAL JUDGMENT. COUNSEL FOR THE PLAINTIFF HAS RECEIVED A CONSENT FORM.

YOU SHOULD BE AWARE THAT YOUR DECISION TO CONSENT OR NOT CONSENT IS ENTIRELY VOLUNTARY AND SHOULD BE COMMUNICATED SOLELY TO THE CLERK OF COURT. ONLY IF ALL PARTIES CONSENT WILL THE JUDGE OR MAGISTRATE TO WHOM THE CASE HAS BEEN ASSIGNED BE INFORMED OF YOUR DECISION.

JUDGEMENTS OF THE U.S. MAGISTRATES ARE APPEALABLE TO THE U.S. COURT OF APPEALS IN ACCORDANCE WITH THIS STATUTE AND THE FEDERAL RULES OF APPELLATE PROCEDURE.

1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure

::ODMA\PCDOCS\WORDPERFECT\14443\1 May 5, 1999 (11:34am)

Secretary

From: TrackingUpdates@fedex.com
Sent: Friday, April 18, 2008 7:02 AM
To: secretary@class-action-attorneys.com
Subject: FedEx Shipment 798922643886 Delivered

This tracking update has been requested by:

Company Name:	CLASS ACTION LITIGATION GROUP
Name:	rene Barge
E-mail:	secretary@class-action-attorneys.com

Our records indicate that the following shipment has been delivered:

Invoice number:	Summons/FAC
Purchase order number:	Dec'l Odenbreit
Reference:	Hart v. Menu Foods,et al
Ship (P/U) date:	Apr 17, 2008
Delivery date:	Apr 18, 2008 9:47 AM
Sign for by:	T.MICHAELAKES
Delivered to:	Mailroom
Service type:	FedEx Standard Overnight
Packaging type:	FedEx Envelope
Number of pieces:	1
Weight:	1.00 lb.
Special handling/Services:	Deliver Weekday

Tracking number: 798922643886

Shipper Information	Recipient Information
rene Barge	Joseph C. Weinstein
CLASS ACTION LITIGATION GROUP	Squire Sanders & Dempsey LLP
11111 Santa Monica Blvd., #1000	4900 Key Tower;127 Public Square
Los Angeles	Cleveland
CA	OH
US	US
90025	44114

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All weights are estimated.

To track the latest status of your shipment, click on the tracking number above,

UNITED STATES DISTRICT COURT

CENTRAL District of CALIFORNIA

JENNIFER HART, SHEILA R. WASHINGTON and MARIA MITCHELL, individually and on behalf of all individuals similarly situated,

V.

MENU FOODS INCOME FUND; MENU FOODS MIDWEST CORPORATION, MENU FOODS SOUTH DAKOTA INC., MENU FOODS, INC. MENU FOODS HOLDINGS, INC.; DEL MONTE FOODS COMPANY; NESTLE PURINA PETCARE COMPANY, HILLS PET NUTRITION; NUTRO PRODUCTS, INC.
PLEASE SEE ATTACHMENT

SUMMONS IN A CIVIL ACTION
ON FIRST AMENDED COMPLAINT

CASE NUMBER: c07cv02779 GHK (AJW)x

TO: (Name and address of Defendant)

THE IAMS COMPANY
c/o D. Jeffrey Ireland
Frauki, Ireland & Cox, PLL
10 North Ludlaw Street
Dayton, OH 45402

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Rene L. Barge (California SBN 182317)
Katherine J. Odenbreit (California SBN 184619)
CLASS ACTION LITIGATION GROUP
11111 Santa Monica Boulevard, Ste. 1000
Los Angeles, California 90025
Tel: (310 481-9851
Fax: (310) 479-7051

an answer to the complaint which is served on you with this summons, within ~~30~~ 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

SHERRI R. CARTER
CLERK

JUL 19 2007
DATE

TABITA G. BLEA
(By) DEPUTY CLERK

SEAL

RETURN OF SERVICE	
Service of the Summons and Complaint was made by me	DATE 4/16/08
NAME OF SERVER Gail Sutter	TITLE Legal Assistant

Check one box below to indicate appropriate method of service

☐ Served personally upon the defendant. Place where served: ____________

☐ Left copies thereof at the defendant's dwelling, house or usual place of abode with a person of suitable age and discretion then residing therein:

Name of person with whom the summons and complaint were left: ____________

☐ Return unexecuted:

☒ Other (specify): I caused to be overnight delivered to attorney of record 4/18/08

STATEMENT OF SERVICE FEES				
TRAVEL		SERVICES	TOTAL $0.00	

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service is true and correct.

Executed on: 4/18/08 — Date

[signature] — Signature of Server

I caused to be overnight delivered to attorney of record.

Address of Server 11111 Santa Monica Blvd., Suite 1000
Los Angeles, CA 90025

NOTICE OF RIGHT TO CONSENT TO TRIAL BY A UNITED STATES MAGISTRATE

IN ACCORDANCE WITH THE PROVISION OF 28 USC 636(C) YOU ARE HEREBY NOTIFIED THAT A U.S. MAGISTRATE OF THIS DISTRICT MAY, UPON CONSENT OF ALL PARTIES, CONDUCT ANY OR ALL PROCEEDINGS, INCLUDING A JURY OR NON-JURY TRIAL, AND ORDER THE ENTRY OF A FINAL JUDGMENT. COUNSEL FOR THE PLAINTIFF HAS RECEIVED A CONSENT FORM.

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JUDGEMENTS OF THE U.S. MAGISTRATES ARE APPEALABLE TO THE U.S. COURT OF APPEALS IN ACCORDANCE WITH THIS STATUTE AND THE FEDERAL RULES OF APPELLATE PROCEDURE.

1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure

Secretary

From: TrackingUpdates@fedex.com
Sent: Friday, April 18, 2008 10:04 AM
To: secretary@class-action-attorneys.com
Subject: FedEx Shipment 798922668916 Delivered

This tracking update has been requested by:

Company Name:	CLASS ACTION LITIGATION GROUP
Name:	rene Barge
E-mail:	secretary@class-action-attorneys.com

Our records indicate that the following shipment has been delivered:

Invoice number:	Summons/FAC
Purchase order number:	Dec'l Of Odenbreit
Reference:	Hart v. Menu Foods,et al
Ship (P/U) date:	Apr 17, 2008
Delivery date:	Apr 18, 2008 1:00 PM
Sign for by:	B.KRUKER
Delivered to:	Receptionist/Front Desk
Service type:	FedEx Standard Overnight
Packaging type:	FedEx Envelope
Number of pieces:	1
Weight:	1.00 lb.
Special handling/Services:	Deliver Weekday
Tracking number:	798922668916

Shipper Information	Recipient Information
rene Barge	D. Jeffrey Ireland
CLASS ACTION LITIGATION GROUP	Frauki, Ireland & Cox, PLL
11111 Santa Monica Blvd., #1000	10 North Ludlaw Street
Los Angeles	Dayton
CA	OH
US	US
90025	45402

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AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

CENTRAL District of CALIFORNIA

JENNIFER HART, SHEILA R. WASHINGTON and MARIA MITCHELL, individually and on behalf of all individuals similarly situated,

V.

MENU FOODS INCOME FUND; MENU FOODS MIDWEST CORPORATION, MENU FOODS SOUTH DAKOTA INC., MENU FOODS, INC. MENU FOODS HOLDINGS, INC.; DEL MONTE FOODS COMPANY; NESTLE PURINA PETCARE COMPANY, HILLS PET NUTRITION; NUTRO PRODUCTS, INC.

PLEASE SEE ATTACHMENT

SUMMONS IN A CIVIL ACTION

ON FIRST AMENDED COMPLAINT

CASE NUMBER: c07cv02779 GHK (AJW)x

TO: (Name and address of Defendant)

THE PROCTOR & GAMBLE COMPANY
c/o D. Jeffrey Ireland
Frauki, Ireland & Cox, PLL
10 North Ludlaw Street
Dayton, OH 45402

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Rene L. Barge (California SBN 182317)
Katherine J. Odenbreit (California SBN 184619)
CLASS ACTION LITIGATION GROUP
11111 Santa Monica Boulevard, Ste. 1000
Los Angeles, California 90025
Tel: (310 481-9851
Fax: (310) 479-7051

an answer to the complaint which is served on you with this summons, within ~~30~~ 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

SHERRI R. CARTER

CLERK

JUL 19 2007

DATE

TABITA G. BLEA

(By) DEPUTY CLERK

SEAL

RETURN OF SERVICE

Service of the Summons and Complaint was made by me	DATE 4/16/08
NAME OF SERVER Gail Sutter	TITLE Legal Assistant

Check one box below to indicate appropriate method of service

☐ Served personally upon the defendant. Place where served: ____________

☐ Left copies thereof at the defendant's dwelling, house or usual place of abode with a person of suitable age and discretion then residing therein:

Name of person with whom the summons and complaint were left: ____________

☐ Return unexecuted:

☒ Other (specify): I caused to be overnight delivered to attorney of record 4/18/08

STATEMENT OF SERVICE FEES

TRAVEL		SERVICES	TOTAL $0.00	

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service is true and correct.

Executed on: 4/18/08
Date

[signature]
Signature of Server

I caused to be overnight delivered to attorney of record.

Address of Server 11111 Santa Monica Blvd., Suite 1000
Los Angeles, CA 90025

NOTICE OF RIGHT TO CONSENT TO TRIAL BY A UNITED STATES MAGISTRATE

IN ACCORDANCE WITH THE PROVISION OF 28 USC 636(C) YOU ARE HEREBY NOTIFIED THAT A U.S. MAGISTRATE OF THIS DISTRICT MAY, UPON CONSENT OF ALL PARTIES, CONDUCT ANY OR ALL PROCEEDINGS, INCLUDING A JURY OR NON-JURY TRIAL, AND ORDER THE ENTRY OF A FINAL JUDGMENT. COUNSEL FOR THE PLAINTIFF HAS RECEIVED A CONSENT FORM.

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JUDGEMENTS OF THE U.S. MAGISTRATES ARE APPEALABLE TO THE U.S. COURT OF APPEALS IN ACCORDANCE WITH THIS STATUTE AND THE FEDERAL RULES OF APPELLATE PROCEDURE.

1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure

::ODMA\PCDOCS\WORDPERFECT\14443\1 May 5, 1999 (11:34am)

Secretary

From: TrackingUpdates@fedex.com
Sent: Friday, April 18, 2008 10:04 AM
To: secretary@class-action-attorneys.com
Subject: FedEx Shipment 790987379771 Delivered

This tracking update has been requested by:

Company Name:	CLASS ACTION LITIGATION GROUP
Name:	rene Barge
E-mail:	secretary@class-action-attorneys.com

Our records indicate that the following shipment has been delivered:

Invoice number:	Summons/FAC
Purchase order number:	Dec'l of Odenbreit
Reference:	Hart v. Menu Foods,et al
Ship (P/U) date:	Apr 17, 2008
Delivery date:	Apr 18, 2008 1:00 PM
Sign for by:	B.KRUKER
Delivered to:	Receptionist/Front Desk
Service type:	FedEx Standard Overnight
Packaging type:	FedEx Envelope
Number of pieces:	1
Weight:	1.00 lb.
Special handling/Services:	Deliver Weekday

Tracking number: 790987379771

Shipper Information	Recipient Information
rene Barge	D. Jeffrey Ireland
CLASS ACTION LITIGATION GROUP	Frauki, Ireland & Cox, PLL
11111 Santa Monica Blvd., #1000	10 North Ludlaw Street
Los Angeles	Dayton
CA	OH
US	US
90025	45402

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AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

CENTRAL District of CALIFORNIA

JENNIFER HART, SHEILA R. WASHINGTON and MARIA MITCHELL, individually and on behalf of all individuals similarly situated,

V.

MENU FOODS INCOME FUND; MENU FOODS MIDWEST CORPORATION, MENU FOODS SOUTH DAKOTA INC., MENU FOODS, INC. MENU FOODS HOLDINGS, INC.; DEL MONTE FOODS COMPANY; NESTLE PURINA PETCARE COMPANY, HILLS PET NUTRITION; NUTRO PRODUCTS, INC.
PLEASE SEE ATTACHMENT

SUMMONS IN A CIVIL ACTION
ON FIRST AMENDED COMPLAINT

CASE NUMBER: c07cv02779 GHK (AJW) x

TO: (Name and address of Defendant)

CHEMNUTRA
Anthony Gerard Brazil
MORRIS POLICH & PURDY
1055 W. 17th Street, 24th Fl.
Los Angeles, CA 90017-2503

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Rene L. Barge (California SBN 182317)
Katherine J. Odenbreit (California SBN 184619)
CLASS ACTION LITIGATION GROUP
11111 Santa Monica Boulevard, Ste. 1000
Los Angeles, California 90025
Tel: (310 481-9851
Fax: (310) 479-7051

an answer to the complaint which is served on you with this summons, within ~~30~~ 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

SHERRI R. CARTER
CLERK

JUL 19 2007
DATE

TABITA G. BLEA
(By) DEPUTY CLERK

SEAL

RETURN OF SERVICE

Service of the Summons and Complaint was made by me	DATE 4/16/08
NAME OF SERVER Gail Sutter	TITLE Legal Assistant

Check one box below to indicate appropriate method of service

☐ Served personally upon the defendant. Place where served: ____________

☐ Left copies thereof at the defendant's dwelling, house or usual place of abode with a person of suitable age and discretion then residing therein:

Name of person with whom the summons and complaint were left: ____________

☐ Return unexecuted:

☒ Other (specify): I caused to be overnight delivered to attorney of record 4/18/08

STATEMENT OF SERVICE FEES

TRAVEL		SERVICES	TOTAL $0.00	

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service is true and correct.

Executed on: 4/18/08   [signature]

Date   Signature of Server

I caused to be overnight delivered to attorney of record.

Address of Server 11111 Santa Monica Blvd., Suite 1000
Los Angeles, CA 90025

NOTICE OF RIGHT TO CONSENT TO TRIAL BY A UNITED STATES MAGISTRATE

IN ACCORDANCE WITH THE PROVISION OF 28 USC 636(C) YOU ARE HEREBY NOTIFIED THAT A U.S. MAGISTRATE OF THIS DISTRICT MAY, UPON CONSENT OF ALL PARTIES, CONDUCT ANY OR ALL PROCEEDINGS, INCLUDING A JURY OR NON-JURY TRIAL, AND ORDER THE ENTRY OF A FINAL JUDGMENT. COUNSEL FOR THE PLAINTIFF HAS RECEIVED A CONSENT FORM.

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JUDGEMENTS OF THE U.S. MAGISTRATES ARE APPEALABLE TO THE U.S. COURT OF APPEALS IN ACCORDANCE WITH THIS STATUTE AND THE FEDERAL RULES OF APPELLATE PROCEDURE.

1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure

Secretary

From: TrackingUpdates@fedex.com
Sent: Friday, April 18, 2008 8:44 AM
To: secretary@class-action-attorneys.com
Subject: FedEx Shipment 798922606984 Delivered

This tracking update has been requested by:

Company Name:	CLASS ACTION LITIGATION GROUP
Name:	rene Barge
E-mail:	secretary@class-action-attorneys.com

Our records indicate that the following shipment has been delivered:

Invoice number:	Summons/FAC
Purchase order number:	Dec'l of Odenbreit
Reference:	Hart v. Menu Foods,et al
Ship (P/U) date:	Apr 17, 2008
Delivery date:	Apr 18, 2008 8:41 AM
Sign for by:	T.WILDER
Delivered to:	Mailroom
Service type:	FedEx Standard Overnight
Packaging type:	FedEx Envelope
Number of pieces:	1
Weight:	0.50 lb.
Special handling/Services:	Deliver Weekday
Tracking number:	798922606984

Shipper Information	Recipient Information
rene Barge	Anthony Gerard Brazil
CLASS ACTION LITIGATION GROUP	Morris Polich & Purdy
11111 Santa Monica Blvd., #1000	1055 W. 17th Street, 24th Fl.
Los Angeles	Los Angeles
CA	CA
US	US
90025	900172503

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To learn more about FedEx Express, please visit our website at fedex.com.

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AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

CENTRAL District of CALIFORNIA

JENNIFER HART, SHEILA K. WASHINGTON and MARIA MITCHELL, individually and on behalf of all individuals similarly situated,

V.

MENU FOODS INCOME FUND; MENU FOODS MIDWEST CORPORATION, MENU FOODS SOUTH DAKOTA INC., MENU FOODS, INC. MENU FOODS HOLDINGS, INC.; DEL MONTE FOODS COMPANY; NESTLE PURINA PETCARE COMPANY, HILLS PET NUTRITION; NUTRO PRODUCTS, INC.
PLEASE SEE ATTACHMENT

SUMMONS IN A CIVIL ACTION
ON FIRST AMENDED COMPLAINT

CASE NUMBER: c07cv02779 GHK (AJW)x

TO: (Name and address of Defendant)

PETCO ANIMAL SUPPLIES STORES, INC.
PETCO ANIMAL SUPPLIES. INC.
PETCO SOUTHWEST, INC.

c/o Joseph C. Weinstein, Esq.
SQUIRE SANDERS & DEMPSEY LLP
4900 Key Tower
127 Public Square
Cleveland, OH 44114-1304

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Rene L. Barge (California SBN 182317)
Katherine J. Odenbreit (California SBN 184619)
CLASS ACTION LITIGATION GROUP
11111 Santa Monica Boulevard, Ste. 1000
Los Angeles, California 90025
Tel: (310 481-9851
Fax: (310) 479-7051

an answer to the complaint which is served on you with this summons, within ~~30~~ 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

SHERRI R. CARTER
CLERK

JUL 19 2007
DATE

TABITA G. BLEA
(By) DEPUTY CLERK

SEAL

RETURN OF SERVICE	
Service of the Summons and Complaint was made by me	DATE 4/16/08
NAME OF SERVER Gail Sutter	TITLE Legal Assistant

Check one box below to indicate appropriate method of service

☐ Served personally upon the defendant. Place where served: ____________

☐ Left copies thereof at the defendant's dwelling, house or usual place of abode with a person of suitable age and discretion then residing therein:

Name of person with whom the summons and complaint were left: ____________

☐ Return unexecuted:

☒ Other (specify): I caused to be overnight delivered to attorney of record 4/18/08

STATEMENT OF SERVICE FEES

TRAVEL		SERVICES	TOTAL $0.00	

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service is true and correct.

Executed on: 4/18/08 ____________________ Signature of Server

Date

I caused to be overnight delivered to attorney of record.

Address of Server 11111 Santa Monica Blvd., Suite 1000
Los Angeles, CA 90025

NOTICE OF RIGHT TO CONSENT TO TRIAL BY A UNITED STATES MAGISTRATE

IN ACCORDANCE WITH THE PROVISION OF 28 USC 636(C) YOU ARE HEREBY NOTIFIED THAT A U.S. MAGISTRATE OF THIS DISTRICT MAY, UPON CONSENT OF ALL PARTIES, CONDUCT ANY OR ALL PROCEEDINGS, INCLUDING A JURY OR NON-JURY TRIAL, AND ORDER THE ENTRY OF A FINAL JUDGMENT. COUNSEL FOR THE PLAINTIFF HAS RECEIVED A CONSENT FORM.

YOU SHOULD BE AWARE THAT YOUR DECISION TO CONSENT OR NOT CONSENT IS ENTIRELY VOLUNTARY AND SHOULD BE COMMUNICATED SOLELY TO THE CLERK OF COURT. ONLY IF ALL PARTIES CONSENT WILL THE JUDGE OR MAGISTRATE TO WHOM THE CASE HAS BEEN ASSIGNED BE INFORMED OF YOUR DECISION.

JUDGEMENTS OF THE U.S. MAGISTRATES ARE APPEALABLE TO THE U.S. COURT OF APPEALS IN ACCORDANCE WITH THIS STATUTE AND THE FEDERAL RULES OF APPELLATE PROCEDURE.

1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure

Secretary

From: TrackingUpdates@fedex.com
Sent: Friday, April 18, 2008 7:02 AM
To: secretary@class-action-attorneys.com
Subject: FedEx Shipment 792685372460 Delivered

This tracking update has been requested by:

Company Name:	CLASS ACTION LITIGATION GROUP
Name:	rene Barge
E-mail:	secretary@class-action-attorneys.com

Our records indicate that the following shipment has been delivered:

Invoice number:	Summons/FAC
Purchase order number:	Dec'l of Odenbreit
Reference:	Hart v. Menu Foods,et al
Ship (P/U) date:	Apr 17, 2008
Delivery date:	Apr 18, 2008 9:47 AM
Sign for by:	T.MICHAELAKES
Delivered to:	Mailroom
Service type:	FedEx Standard Overnight
Packaging type:	FedEx Envelope
Number of pieces:	1
Weight:	1.00 lb.
Special handling/Services:	Deliver Weekday

Tracking number: 792685372460

Shipper Information
rene Barge
CLASS ACTION LITIGATION GROUP
11111 Santa Monica Blvd., #1000
Los Angeles
CA
US
90025

Recipient Information
Joseph C. Weinstein
Squire Sanders & Dempsey LLP
4900 Key Tower;127 Public Square
Cleveland
OH
US
44114

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RENE L. BARGE, SBN 182317
KATHERINE J. ODENBREIT, SBN 184619
CLASS ACTION LITIGATION GROUP
11111 SANTA MONICA BLVD. SUITE 1000
LOS ANGELES, CA. 90025
TEL: (310) 481-9851
FAX: (310) 479-7051

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

JENNIFER HART, SHEILA R. WASHINGTON
Plaintiff(s)

v.

MENU FOODS INCOME FUND
Defendant(s)

CASE NUMBER: 07CV02779GHK(AJW)

PROOF OF SERVICE SUMMONS AND COMPLAINT

(Use separate proof of service for each person/party served)

1. At the time of service I was at least 18 years of age and not a party to this action and **I served** copies of the *(specify documents)*:
   a. ☒ summons ☐ complaint ☐ alias summons ☒ first amended complaint ☐ second amended complaint ☐ third amended complaint

   ☒ other *(specify)*: SEE ATTACHMENT

2. **Person served:**
   a. ☒ Defendant *(name)*: WAL-MART STORES, INC, CT CORPORATION, AGENT FOR SERVICE
   b. ☒ Other *(specify name and title or relationship to the party/business named)*: MARGARET WILSON, AUTHORIZED TO ACCEPT
   c. ☒ Address where papers were served: 818 W 7TH ST., LOS ANGELES, CA. 90017

3. **Manner of Service** in compliance with *(the appropriate box must be checked)*:
   a. ☐ Federal Rules of Civil Procedure
   b. ☒ California Code of Civil Procedure

4. **I served** the person named in Item 2:

   a. ☒ **By Personal service.** By personally delivering copies. If the person is a minor, by leaving copies with a parent, guardian, conservator or similar fiduciary and to the minor if at least twelve (12) years of age.

      1. ☒ **Papers were served on** *(date)*: 04/28/08 at *(time)*: 2:50 PM

   b. ☐ **By Substituted service.** By leaving copies:

      1. ☐ **(home)** at the dwelling house, usual place of abode, or usual place of business of the person served in the presence of a competent member of the household, at least 18 years of age, who was informed of the general nature of the papers.
      2. ☐ **(business)** or a person apparently in charge of the office of place of business, at least 18 years of age, who was informed of the general nature of the papers.
      3. ☐ **Papers were served on** *(date)*: ____________ at *(time)*: ____________
      4. ☐ **by mailing** *(by first-class mail, postage prepaid)* copies to the person served in Item 2(b) at the place where the copies were left in Item 2(c).
      5. ☐ **papers were mailed** on (date): ____________
      6. ☐ **due diligence.** I made at least three (3) attempts to personally serve the defendant.

c. ☐ **Mail and acknowledgment of service.** By mailing *(by first-class mail or airmail, postage prepaid)* copies to the person served, with two (2) copies of the form of Waiver of Service of Summons and Complaint and a return envelope, postage prepaid addressed to the sender. **(Attach completed Waiver of Service of Summons and Complaint).**

d. ☒ **Service on domestic corporation, unincorporated association (including partnership), or public entity. (F.R.Civ.P. 4(h)) (C.C.P. 416.10)** By delivering, during usual business hours, a copy of the summons and complaint to an officer, a managing or general agent, or to any other agent authorized by appointment or by law to receive service of process and, if the agent is one authorized by statute and the statute so requires, by also mailing, by first-class mail, postage prepaid, a copy to the defendant.

e. ☐ **Substituted service on domestic corporation, unincorporated association (including partnership), or public entity. (C.C.P. 415.20 only)** By leaving during usual office hours, a copy of the summons and complaint in the office of the person served with the person who apparently was in charge and thereafter by mailing *(by first-class mail, postage prepaid)* copies to the persons at the place where the copies were left in full compliance with C.C.P. 415.20. Substitute service upon the California Secretary of State requires a court order. **(Attach a copy of the order to this Proof of Service).**

f. ☐ **Service on a foreign corporation.** In any manner prescribed for individuals by FRCP 4(f).

g. ☐ **Certified or registered mail service.** By mailing to an address outside California *(by first-class mail, postage prepaid, requiring a return receipt)* copies to the person served. **(Attach signed return receipt or other evidence of actual receipt by the person served).**

h. ☐ **Other** (specify code section and type of service):

5. Service upon the **United States, and Its Agencies, Corporations or Officers.**

a. ☐ by delivering a copy of the summons and complaint to the clerical employee designated by the U.S. Attorney authorized to accept service, pursuant to the procedures for the Office of the U.S. Attorney for acceptance of service, or by sending a copy of the summons and complaint by registered or certified mail addressed to the civil process clerk at the U.S. Attorneys Office.

Name of person served:

Title of person served:

Date and time of service: *(date)*: ______________________ at *(time)*: ____________

b. ☐ By sending a copy of the summons and complaint by registered or certified mail to the Attorney General of the United States at Washington, D.C. **(Attach signed return receipt or other evidence of actual receipt by the person served).**

c. ☐ By sending a copy of the summons and complaint by registered or certified mail to the officer, agency or corporation **(Attach signed return receipt or other evidence of actual receipt by the person served).**

6. At the time of service I was at least 18 years of age and not a party to this action.

7. Person serving *(name, address and telephone number)*:

ENRIQUE MENDEZ LA-3428
DDS LEGAL SUPPORT SYSTEMS
2900 BRISTOL ST. E-106
COSTA MESA, CA. 92626
(714) 662-5555

a. Fee for service: $ 69.90

b. ☐ Not a registered California process server

c. ☐ Exempt from registration under B&P 22350(b)

d. ☒ Registered California process server

8. ☐ I am a California sheriff, marshal, or constable and I certify that the foregoing is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Date: 04/30/08

____
(Signature)

PETITIONER/PLAINTIFF: JENNIFER HART, SHEILA R. WASHINGTON	CASE NUMBER:
RESPONDENT/DEFENDANT: MENU FOODS INCOME FUND	07CV02779GHK(AJW)

DECLARATION OF KATHERINE J. ODENBREIT REGARDING NO ORDER OF COURT NEEDED TO FILE FIRST AMENDED COMPLAINT

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